



PLANNING COMMISSION SYNOPSIS

Thursday, May 14, 2015

CALL TO ORDER

Chairperson Nordstrom called the Planning Commission meeting to order at 6:00 PM in the City Council Chambers of the Bloomington Civic Plaza.

COMMISSIONERS PRESENT: Spiess; Nordstrom; Goodrum; Bennett; Willette

COMMISSIONERS ABSENT: Batterson and Fischer

STAFF PRESENT: Glen Markegard, Jason Schmidt, Elizabeth Heyman, Debbie Smith

ITEM 1

6:03 p.m.

APPLICANT: City Of Bloomington

REQUEST: City Code Amendments - Residential Phase II Ordinance

DISCUSSION AND COMMENTS:

Schmidt presented the staff report on the Residential Phase II Standards. Staff is requesting input on five key issues:

Minimum Floor Area

Multiple Family design and performance standards

- Minimum setback along streets
- Required storage space outside units

Manufactured home park

- Minimum site size
- Density requirements

Minimum Floor Area

Schmidt stated there is an interest and movement for smaller residential houses and apartments across the country. A potential change is to reduce the minimum floor area for various types of units. Rationale is the market is changing and lifestyles are evolving. Reducing the minimum floor area allows developers to respond to the market trends and address local needs for affordable housing in the City of Bloomington. Staff presented the current square footage requirements and examples of houses and apartments with various square footages.

Markegard discussed an SRO (Single Room Occupancy) Project he visited recently in Redmond, WA and mentioned that the market may desire a similar project in Bloomington in the future. The project provides dorm like living with eight units tied to one kitchen, and a common area. The project provides an affordable housing option at a density of 384 units per acre. Despite no public subsidy, it is 100% affordable and LEED Platinum. In comparison, the City of Bloomington's most dense residential development is at 106 units per acre.

Spiess, who also attended the same tour, commented that it was a beautiful building and the dynamic community fit the needs of a wide variety of people. She stated there have been no problems with crime and the residents were getting along. The project was very innovative and well done.

Nordstrom questioned the specific demographics and life styles targeted. Spiess stated the development is not really targeted to any one group. She believes it appeals to wide variety of people from Microsoft executives,

students and artists. Markegard said the property manager said there were several higher income tenants that simply wanted less space and to simplify their life. He also said there were tenants that were out of town a lot due to work travel or having a second dwelling.

Goodrum asked if these rentals fit the tenants' needs now and may not fit their needs forever. Markegard stated average stay was around fourteen (14) months. Bennett questioned the occupancy rate. Markegard stated the development was fully leased but had no waiting list.

Markegard added that the development concept works well under good management, but if it goes bad, he envisions the development could slide very quickly and become a problem.

Goodrum stated based on Seattle's cost of living rate this type of development is in demand. Demand in Bloomington for this type of development is not here yet.

Schmidt presented the top 10 populated metro cities minimum floor area requirements for comparison. Willette questioned if this been discussed in the other cities. Schmidt stated the staff from the others cities were interested in the data collected.

Schmidt asked the Commission if the City should maintain a minimum floor area or allow the building code and market to dictate the minimum unit size and if the City maintains a minimum floor area, should the sizes be lowered?

Spiess stated the market should drive the minimum.

Goodrum prefers establishing minimums. A number of things could happen without a minimum. Small houses are fine like those in the staff report. Suggested a minimum of 500 square feet with efficiency units at 350 square feet.

Nordstrom questioned in the example from Redmond if the common areas count towards the square footage? Markegard stated the square footage is specific to the unit.

Goodrum stated the zoning districts would dictate where dense projects are located. Nowhere in Bloomington can the Redmond project locate at 360 units per acre.

Bennett questioned, as houses become smaller will we see requests for lower minimum lot sizes? Markegard stated amendments could be made to lower minimum lot sizes. Bloomington is built out, which makes it harder to create smaller lot sizes, but developers could potentially combine several single family lots to create small lot infill projects.

Bennett likes the idea of the market driving the sizes, but at the same time there is a need to be aware of abuse by developers. Agreed with Goodrum to set minimums, but having flexibility with common areas.

Structure Placement

Schmidt presented the staff report and posed the following policy questions. Should the City reduce the minimum setback along a street in the multi-family zoning districts? If yes, what should be the reduced minimum setback along the street? The current standard is a 40-foot minimum setback from the property line abutting a street. Reducing the setback gives the developer the option to place the structure closer to the street and shift parking to the side or rear.

Discussion occurred on right-of-way width and sidewalk concerns. Staff stated sidewalks are typically within an easement.

Goodrum is ok with a 25 foot setback for the front to maintain the character of the neighborhood.

Nordstrom, Spiess, Bennett are ok with a 25 foot minimum.

Storage Space Outside Units

Schmidt presented the staff report. Staff received comments from recent multiple-family residential developers within the City that the minimum size of the storage space required outside the units was too high. Developers stated that they were typically providing a central bike storage area within developments outside of Bloomington and installing smaller storage units.

Should City of Bloomington reduce lockable storage requirements outside the unit and to what size? Should it be reduced if there is a designated bike storage area?

Willette questioned what the maximum and minimum are today. Schmidt stated 175 cubic feet for a minimum and no maximum at this time. Markegard stated Bloomington does have a maximum on residential garage sizes, but not with regard to apartment storage areas.

Nordstrom questioned historically what has been the driver in the past 100 years for outside storage, bikes, bar-b-ques, etc. and how have needs changed over time? What are tenants looking for? Markegard stated there were no standards back in the 50's and 60's; most older apartments have no storage. The items stored likely have not changed significantly although the number of people per unit has dropped quite a bit. Goodrum questioned if other cities are waiting to see what we do. Schmidt stated at this time no.

Goodrum stated "buyer beware" if they are looking for storage space. He is comfortable with a lower minimum and agrees with 54 cubic feet where there is separate designated bike storage. It is nice to have some storage outside the unit.

Schmidt stated stored items tend to end up on the balcony if storage is not provided. Goodrum stated it all comes back to the aesthetics of the area.

Bennett stated if you reduce living area needs, additional designated storage space is needed. Also agrees if a designated area for bikes is provided, she is ok with smaller storage area. To encourage people to bike, there needs to be a designated bike area.

Spiess likes a lower standard for a dedicated bike area with a reduction to 54 cubic feet minimum.

Manufactured Home Park

Heyman presented the staff report. There are currently no existing local performance standards although State laws apply. There are two existing manufactured home parks built before the current State laws were in place. Staff is seeking input on minimum lot size and maximum density in R-1 zoning.

Minimum Lot Size

Nordstrom, Willette, Spiess, Goodrum and Bennett all agreed on requiring a minimum of five acres for new manufactured home parks.

Maximum Density in R-1 Area

Nordstrom, Willette, Spiess, Goodrum and Bennett all agreed on limiting manufactured home park density to ten units per acre.

Nordstrom questioned tornado bunkers; staff responded that they are required by State Statute for new manufactured home parks.

ITEM 2

7:15 p.m.

APPLICANT: City Of Bloomington**REQUEST:** Provide input and direction to staff on an ordinance to allow medical marijuana distribution facilities as conditional uses in B-2, B-4, C-2, C-3, C-5, CR-1, CX-2, or LX zoning districts. City Code Amendments - Residential Phase II Ordinance

Heyman presented staff report. The medical marijuana program passed by the State of Minnesota creates three types of unique associated land uses: medical marijuana manufacturing facilities, distributions facilities, and laboratories. Heyman discussed how other cities in the state are regulating the three types of land uses and presented the draft performance standards proposed by staff for the City's code. Staff are also currently researching and drafting a local licensing ordinance to accompany the land use performance standards. After Heyman's presentation the Planning Commissioners discussed the following policy questions:

- Do you concur with the proposed list of zoning districts where a distribution facility would be allowed with a Conditional Use Permit?
- Do you concur with the proposed distribution facility density standard?
- What uses should be categorized as sensitive land uses from which minimum separation from medical marijuana distribution facilities is required?
- What distance(s) should the City require for sensitive land buffers?

Zoning Districts

Spieß commented that allowing distribution facilities where the City currently allows pharmacies is a reasonable approach.

Goodrum asked for clarification on the definition of distribution facilities. Markegard explained that ordinance gives medical marijuana distribution facilities a specific definition and use listing that separates it from a typical pharmacy. Goodrum was comfortable with that approach.

Bennett commented that she was comfortable with the proposed zoning districts.

Density standards

Heyman explained that the proposed density standard would currently allow one distribution facility within the City. Furthermore, based on the Metropolitan Council's population estimates this would still be the case in 2040.

Spieß commented that this sounded like a reasonable approach. Willette commented that he would rather have no medical marijuana distribution facilities within the City. Nordstrom said he was worried about a second or third location. Goodrum said he was not opposed and that medical marijuana is helpful to some people. However, he was concerned that the facility be sited in a location that would be centrally located for the entire city. Bennett also agreed that the density standard was a reasonable approach.

Buffers Around Sensitive Land Uses

The commissioners asked questions regarding how the proposed buffering standards would affect new schools and day cares that wanted to locate in the city. Heyman and Markegard explained that only existing schools and day care would affect the potential locations of a medical marijuana distribution

facility. If a school or day care moved in after the distribution facility was established the facility would not have to move. Goodrum asked if this would create a legally non-conforming land use. Markegard said yes it would mean the distribution facility is legally nonconforming in that regard. Goodrum asked what would happen if a medical marijuana facility wanted to expand, but ended up hitting a buffer limitation? Heyman explained that expansion would be prohibited in that scenario but that the ordinance specifically gives medical marijuana distribution facility owners the ability to seek variances. Bennett asked how the buffers would be applied to Bloomington properties that are adjacent to properties in Richfield. Heyman explained that buffers around schools in Richfield do make some Bloomington properties ineligible for medical marijuana distribution facilities.

Spiess commented that she wanted to rely on state law and not buffer any other sensitive land uses. Nordstrom agreed with Spiess. Spiess then left the meeting at 7:48 p.m..

Willette asked how the state law would affect locations where a school may rent a property instead of owning it. Heyman said she wasn't sure that she would look into it.

Bennett asked what was the rationale behind buffering residential areas, parks, and open spaces. Markegard said some cities buffer sensitive land uses due to their belief that separation is required due to security concerns. There may also be some not in my back yard (NIMBY) perceptions of medical marijuana land uses in some communities. Some people become afraid that they will drive down property values. Heyman commented that Minnesota's medical marijuana program is the strictest in the country and does not allow medical marijuana to be smoked. Curbing the public smoking of marijuana is sometimes what the buffers attempt to address.

Goodrum asked about the definition of 'school.' Heyman read the definition from state law. The definition includes public and private accredited K-12 schools.

Bennett commented that she wanted to mirror state statute and only buffer schools. Goodrum agreed – he commented that if the City Council wanted to make the political decision to buffer residential areas they could.

Parking

Nordstrom commented that parking could be an issue and asked about drive throughs. Markegard said the ordinance proposes requiring the same amount of parking for a medical marijuana distribution facility that is currently required for a medical office use. Heyman also noted that proposed ordinance does not prohibit drive throughs.

Other Topics

Willette asked if there is a customer base for medical marijuana. Heyman commented that under state law medical marijuana is only available to people suffering from a very specific list of ailments. However, the program may expand in the future if the State legislature amends State law to make the product available for people who need pain management.

Bennett commented that she liked the specific language restricting recreational marijuana use. Heyman commented that Richfield is taking a similar approach.

ITEM 3

8:00 p.m.

CASE:	N/A
APPLICANT:	City of Bloomington
REQUEST:	Takeaways from Seattle National APA Conference

Markegard shared information on helpful sessions and demonstrated two websites he learned of at conference sessions. Rightsizeparking.org is a sophisticated tool for cities in the Seattle metro area to determine multi-family residential parking requirements. The tool is based on actual counts at hundreds of sites throughout the region. Many cities in the region have amended their parking requirements to refer to the website. By entering in a location and other information about the development such as bedroom mix and rent levels, the tool looks at transit amenities and predicts parking need. He also discussed Streetmix.net, which intuitively allows anyone to quickly build street profiles and consider options on lane width, streetscape, etc.

Heyman discussed lessons learned on a social equity by LRT Tour with Commissioners Spiess and Fischer, which focused on getting planning done early. Seattle has a lot of affordable housing near LRT. Heyman also discussed a session about local government and transit that emphasized the importance of coordinating land use and transit decisions.

Nordstrom wanted to take a class on codes that impact retailers but could not get in due to the session being over capacity. Markegard said he attended, but the session was disappointing as it did not cover the items reflected in its title and instead focused on market analysis and local spending potential. They also discussed efforts in downtown Seattle to make it an attractive area.

Bennett went to two session on the home sharing, which were timely for Bloomington. Another seminar she attended titled revitalizing office parks was misnamed and was not helpful. She noted the emphasis placed at other sessions on office changes such as shared office spaces, less space per worker and less parking needs. They also talked about amenities needed around office parks.

Goodrum attended transit oriented development (TOD) sessions that focused on making TOD successful. They stressed the difficulty in attracting retail to mixed use buildings if not well located.

Nordstrom commented that in general it was a good conference. Goodrum agreed.

Willette commented that he would be interested in volunteering for appointment to the watershed management organization subgroup that will be decided at the next meeting.

The meeting adjourned at 8:21 p.m.

Prepared By: DS Reviewed By: GM, JS, LP

Approved By Planning Commission: 8/6/15